

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE
PRICE OF NORTH CAROLINA, OR HIS DESIGNEE,
DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 5020, AS REPORTED
OFFERED BY MR. PRICE OF NORTH CAROLINA**

At the end of title III, add the following new section:

1 **SEC. 308. ACCOUNTABILITY IN INTELLIGENCE CON-**
2 **TRACTING.**

3 (a) **REPORT ON REGULATIONS GOVERNING INTEL-**
4 **LIGENCE COMMUNITY CONTRACTING.—**

5 (1) **REPORT REQUIREMENT.—**Not later than 90
6 days after the date of the enactment of this Act, the
7 Director of National Intelligence shall submit to the
8 Permanent Select Committee on Intelligence of the
9 House of Representatives and the Select Committee
10 on Intelligence of the Senate a report on regulations
11 governing covered contracts under the National In-
12 telligence Program and, at the discretion of the Di-
13 rector of National Intelligence, the Military Intel-
14 ligence Program.

15 (2) **MATTERS COVERED.—**

16 (A) The report required by paragraph (1)
17 shall include a description of any relevant regu-
18 lations prescribed by the Director of National
19 Intelligence or by the heads of agencies in the



1 intelligence community, including those relating
2 to the following matters:

3 (i) Types of functions or activities
4 that may be appropriately carried out by
5 contractors.

6 (ii) Minimum standards regarding the
7 hiring, training, security clearance, and as-
8 signment of contract personnel.

9 (iii) Procedures for conducting over-
10 sight of covered contracts to ensure identi-
11 fication and prosecution of criminal viola-
12 tions; financial waste, fraud, or abuse; or
13 other abuses committed by contractors or
14 contract personnel.

15 (B) The report also shall include a descrip-
16 tion of progress made by the Director of Na-
17 tional Intelligence in standardizing the regula-
18 tions described in subparagraph (A) across the
19 different agencies of the National Intelligence
20 Program to the extent practicable.

21 (3) FORM OF REPORT.—The report required by
22 paragraph (1) shall be in unclassified form, but may
23 contain a classified annex if necessary.



1 (b) ACCOUNTABILITY REQUIREMENTS FOR CON-
2 TRACTS AWARDED BY INTELLIGENCE COMMUNITY AGEN-
3 CIES.—

4 (1) INFORMATION ON INTELLIGENCE ACTIVI-
5 TIES TO BE PERFORMED.—Each covered contract in
6 an amount greater than \$1,000,000 shall require the
7 contractor to provide to the contracting officer for
8 the contract, not later than 5 days after award of
9 the contract, the following information regarding in-
10 telligence activities performed under the contract:

11 (A) Number of persons to be used to per-
12 form such functions.

13 (B) A description of how such persons are
14 trained to carry out tasks specified under the
15 contract relating to such functions.

16 (C) A description of each category of activ-
17 ity relating to such functions required by the
18 contract.

19 (2) UPDATES.—The information provided under
20 paragraph (1) shall be updated during contract per-
21 formance as necessary.

22 (3) INFORMATION ON COSTS.—Each covered
23 contract shall include the following requirements:

24 (A) Upon award of the contract, the con-
25 tractor shall provide to the contracting officer



1 cost estimates of salary, benefits, insurance,
2 materials, logistics, administrative costs, and
3 other costs of carrying out intelligence activities
4 under the contract.

5 (B) Before contract closeout (other than
6 closeout of a firm, fixed price contract), the
7 contractor shall provide to the contracting offi-
8 cer a report on the actual costs of carrying out
9 intelligence activities under the contract, in the
10 same categories as provided under subpara-
11 graph (A).

12 (c) ACCOUNTABILITY REQUIREMENTS FOR CON-
13 TRACTING AGENCIES OF THE INTELLIGENCE COMMU-
14 NITY.—

15 (1) REPORT REQUIREMENT.—Not later than 90
16 days after the date of the enactment of this Act, and
17 annually thereafter, the Director of National Intel-
18 ligence shall submit to the Permanent Select Com-
19 mittee on Intelligence of the House of Representa-
20 tives and the Select Committee on Intelligence of the
21 Senate a report containing the information described
22 in paragraph (2) on contracting activities in the in-
23 telligence community.



1 (2) MATTERS COVERED.—The report required
2 by paragraph (1) shall include the following informa-
3 tion:

4 (A) A list of contracts awarded for intel-
5 ligence activities by each agency in the intel-
6 ligence community during the one-year period
7 preceding the date of submission of the report.

8 (B) A description of the activities to be
9 performed by contractors in fulfillment of each
10 contract on the list under subparagraph (A), in-
11 cluding whether such activities are classified or
12 unclassified.

13 (C) The number of personnel carrying out
14 work under each such contract.

15 (D) The estimated cost of performance of
16 the work required by each such contract.

17 (d) RETENTION OF INTELLIGENCE COMMUNITY PRO-
18 FESSIONALS.—

19 (1) REPORT REQUIREMENT.—Not later than 90
20 days after the date of the enactment of this Act, the
21 Director of National of Intelligence shall submit to
22 the Permanent Select Committee on Intelligence of
23 the House of Representatives and the Select Com-
24 mittee on Intelligence of the Senate a report on hir-



1 ing, promotion, and retention of intelligence commu-
2 nity professionals.

3 (2) MATTERS COVERED.— The report required
4 by paragraph (1) shall include the following:

5 (A) Recommendations regarding any bo-
6 nuses, benefits, or other inducements that
7 would help the intelligence community to hire,
8 promote, and retain its professional workforce
9 in order to compete effectively against the at-
10 traction of private sector opportunities.

11 (B) Recommendations regarding any policy
12 changes, including changes to policies governing
13 the awarding of security clearances, that may
14 promote hiring, promotion, and retention of the
15 intelligence community professional workforce.

16 (C) A description of any additional author-
17 ity needed from Congress to implement the rec-
18 ommendations under subparagraphs (A) and
19 (B).

20 (3) FORM OF REPORT.—The report required by
21 paragraph (1) shall be in unclassified form, but may
22 contain a classified annex if necessary.

23 (e) DEFINITIONS.—In this section:

24 (1) INTELLIGENCE COMMUNITY.—The term
25 “intelligence community” has the meaning given the



1 term in section 3(4) of the National Security Act of
2 1947 (50 U.S.C. 401a(4)).

3 (2) COVERED CONTRACT.—The term “covered
4 contract” means—

5 (A) a prime contract with any agency or
6 office that is part of the intelligence community;

7 (B) a subcontract at any tier under any
8 prime contract with an office or agency referred
9 to in subparagraph (A); or

10 (C) a task order issued under a task or de-
11 livery order contract entered into by an office or
12 agency referred to in subparagraph (A, if the
13 work to be performed under the contract, sub-
14 contract, or task order includes intelligence ac-
15 tivities to be performed either within or outside
16 the United States.

